

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

JIMMIE HARDAWAY, JR., LARRY A. BOYD,
FIREARMS POLICY COALITION, INC., and
SECOND AMENDMENT FOUNDATION,

Plaintiffs,

v.

STEVEN A. NIGRELLI, in his official capacity as
Superintendent of the New York State Police,
BRIAN D. SEAMAN, in his official capacity as
District Attorney for the County of Niagara, and
JOHN J. FLYNN, in his official capacity as District
Attorney for the County of Erie,

Defendants.

Civil Action No.
1:22-cv-00771-JLS

**NOTICE OF MOTION OF EVERYTOWN FOR GUN SAFETY FOR LEAVE TO FILE
AMICUS BRIEF IN OPPOSITION TO PLAINTIFFS' MOTION FOR A PRELIMINARY
INJUNCTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of William J. Taylor, Jr. ("Taylor Declaration" or "Taylor Decl."), and proposed brief with appendix of historical laws (attached as Exhibit A to the Taylor Declaration), Everytown for Gun Safety (formally, Everytown for Gun Safety Action Fund; hereafter "Everytown") will move this Court, before the Honorable John L. Sinatra, Jr., United States District Judge, at the Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York 14202, at a date and time to be set by the Court, for an order granting Everytown leave to file an amicus curiae brief in the above-captioned action in opposition to Plaintiffs' motion for a preliminary injunction and in support of the State's opposition to Plaintiffs' motion.

The State has no objection to Everytown’s motion for leave. Defendants Seaman and Flynn take no position on the motion. And Plaintiffs have stated that they “do not object to [Everytown’s] motion, so long as (1) the motion and amicus brief are filed by noon on Saturday, and (2) the brief is no longer than half the maximum length allowed for the State’s opposition brief under the local rules, consistent [with] common limitations on the length of amicus briefs”—conditions that this submission has met. *See* Taylor Decl. ¶¶ 7-9.

Dated: October 28, 2022

Respectfully submitted,

/s/ William J. Taylor, Jr.
William J. Taylor, Jr.
Everytown Law
450 Lexington Avenue, #4184
New York, NY 10017
wtaylor@everytown.org
(646) 324-8215
Counsel for Amicus Curiae
Everytown for Gun Safety